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In re Application of
Goeffrey B. HOESE et al.
Application No. 10/658,163
Filed: September 9, 2003
For: STORAGE ROUTER AND METHOD FOR
PROVIDING VIRTUAL LOCAL
STORAGE

DECISION ON PETITION TO
MAKE SPECIAL UNDER
M.P.E.P. §708.02(II):
INFRINGEMENT

This is a decision on the petition, filed November 21, 2003, under 37 C.F.R. § 1.102(d) and M.P.E.P. §708.02(II): Infringement, to make the above-identified application special.

The petition is **GRANTED**.

A grantable petition under 37 C.F.R. § 1.102(d), and M.P.E.P. § 708.02, Section II, must be accompanied by payment of the fee under 37 C.F.R. § 1.17(h) and a statement under 37 C.F.R. § 1.102 by the applicant or assignee or statements by an attorney/agent registered to practice before the Patent and Trademark Office that (A) there is an infringing device or product actually on the market or method in use; (B) a *rigid comparison* of the alleged infringing device, product, or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are **unquestionably infringed**; and (C) he or she has made or caused to be made a careful and thorough search of the prior art or has a good knowledge of the prior art. Applicant must provide one copy of each of the *references deemed most closely related* to the subject matter encompassed by the claims.

Applicant's submission meets all the criteria set out above. Accordingly, the Petition is **GRANTED**.

The application file is being forwarded to the Examiner of Record for expedited examination.

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